

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. **FEB 3 1983**

Returned to applicant for correction.

Corrected application filed. Map filed **APR 7 1983**

The applicant **Max W. & Frances M. Schlutsmeier and Kit C. & Melba Jo Medlin**

91 Star Route 24 of **Wellington**

Street and No. or P.O. Box No.

City or Town

Nevada 89444

State and Zip Code No.

Point of Diversion and Place of Use of a portion

Point of diversion, manner of use, and/or place of use

Permit 40400

of water heretofore appropriated under

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

1. The source of water is **Underground**
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed **0.14 c.f.s. (see Item 15, Remarks)**
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for **Irrigation and Domestic**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for **Irrigation and Domestic**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point **SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12, T.11 N., R.23 E.,**
Describe as being within a 40-acre subdivision of public survey and by course and
M.D.B. & M., or at a point from which the W $\frac{1}{2}$ corner of Section 13, T.11 N.,
distance to a section corner. If on unsurveyed land, it should be stated.
R.23 E., M.D.B. & M. bears South 10°57'41" West, 6642 feet.
6. The existing permitted point of diversion is located within **NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12, T.11 N., R.23 E.,**
If point of diversion is not changed, do not answer.
M.D.B. & M., or at a point from which the W $\frac{1}{2}$ corner of Section 13, T.11 N.,
R.23 E., M.D.B. & M. bears South 1°05'10" West, 5177.72 feet.
7. Proposed place of use **Portions NW $\frac{1}{4}$ NW $\frac{1}{4}$ (36.05 ac.), NE $\frac{1}{4}$ NW $\frac{1}{4}$ (34.72 ac.), SW $\frac{1}{4}$ NW $\frac{1}{4}$**
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
(10.28 ac.), SE $\frac{1}{4}$ NW $\frac{1}{4}$ (9.88 ac.), Section 12, T.11 N., R.23 E., M.D.B. & M.
8. Existing place of use **NW $\frac{1}{4}$ NW $\frac{1}{4}$ (4.05 ac.), NE $\frac{1}{4}$ NW $\frac{1}{4}$ (2.72 ac.), SE $\frac{1}{4}$ NW $\frac{1}{4}$ (5.5 ac.), Section**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
12, T.11 N., R.23 E., M.D.B. & M. (Acreage to be changed is 4.05 ac. in NW $\frac{1}{4}$ NW $\frac{1}{4}$,
manner of use of irrigation permit, describe acreage to be removed from irrigation.
2.72 ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$, and 0.07 ac. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12).
9. Use will be from **January 1** to **December 31-** of each year.
Month and Day Month and Day
10. Use was permitted from **January 1** to **December 31** of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) **Drilled well, pump and motor, pipeline**
State manner in which water is to be diverted, i.e. diversion structure, ditches,
and sprinkler system.
pipes and flumes, or drilled well, etc.
12. Estimated cost of works. **Well completed**
13. Estimated time required to construct works. **16" diameter well with electric motor and pump**
(ref. Well log #9276 and Proof of Completion under 25543).

14. Estimated time required to complete the application of water to beneficial use. 2 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Acreages described under Item #8 above reflect separate prior withdrawals of portions of Permit 40400 per letters from Schlutsmeyer & Medlin (dated Aug. 13, 1982) and Casebolt (dated Sept. 20, 1982). Diversion rate under Item #2 above is proportionate to amount remaining under Permit 40400, i.e. 0.14 c.f.s. = 6.84 acres to be changed divided by 12.27 acres remaining under Permit 40400 times 0.26 c.f.s. remaining under Permit 40400 after Schlutsmeyer & Medlin and Casebolt withdrawals.

By s/Brian A. Randall
Brian A. Randall, Resource Concepts, Inc.
340 North Minnesota Street, Carson City, Nevada
89701

Compared bc/b1 qcr/bc

Protested _____

_____APPROVAL_____ OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 40400 is issued subject to the terms and conditions imposed in said Permit 40400 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not

to exceed 0.14 cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources and not to exceed 27.36 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before April 27, 1985

Proof of completion of work shall be filed before May 27, 1985

Application of water to beneficial use shall be made on or before April 27, 1986

Proof of the application of water to beneficial use shall be filed on or before May 27, 1986

Map in support of proof of beneficial use shall be filed on or before May 27, 1986

Completion of work filed DEC 5 1984

Proof of beneficial use filed DEC 5 1984

Cultural map filed APR 7 1983

Certificate No. 11205 Issued JUN 13 1985

IN TESTIMONY WHEREOF, I, PETER G. MORROS,
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 15th day of November,

A.D. 19 84



State Engineer